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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER

JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
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2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/784,096	Applicant(s) STOUFFER ET AL.	
	Examiner Jakieda R. Jackson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-29, 36-39 and 41-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-29, 36-39 and 41-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed July 7, 2005, there was an interview filed September 13, 2005 followed by applicant's remarks submitted on December 7, 2005. During the interview, there was an agreement reached that the finality of the outstanding office action should be withdrawn. However, upon further consideration, the finality will stand.

Response to Arguments

2. Regarding claim 10, applicants argue that there is no discussion in Kato of "a first audible input," nor input (audible or otherwise) "received using the voice channel of the telecommunications network." In addition, even the audio commands that Kato does discuss are, at best, spoken commands by the user of the in vehicle navigation system, and are not "received using the voice channel of the telecommunications network," as claimed. Applicant's arguments are persuasive, but are moot in view of new grounds of rejection.

Applicant's further argue that there is no discussion of "comparing a first audible input....to the first data file to determine a first selected locality". Applicant's arguments are persuasive, but are moot in view of new grounds of rejection.

Applicant also argues that Kato does not anticipate "loading a second data file" step. Applicant's arguments are persuasive, but are moot in view of new grounds of rejection.

Regarding claim 1, applicant's argue that Kato does not disclose "receiving audible input spoken by a user over a voice channel of the mobile communications network" and "converting the audible input to application data," as claimed. Further applicant argues that Kato's invention is not related to providing input over a voice channel of mobile telecommunications network. Applicant's arguments are persuasive, but are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-3, 15-17 and 59-60** are rejected under 35 U.S.C. 102(e) as being anticipated Mannings et al. (USPN 6,111,539), hereinafter referenced as Mannings.

Regarding **claims 1, 15 and 59-60**, Mannings discloses a method, computer program and a system for obtaining data in a mobile telecommunications network (cellular telephone network) for providing voice channel services in a wireless

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telecommunication network (column 7, lines 11-15 with column 9, lines 46-50),
comprising:

- a processor (figure 1, element 16);

- a memory (figure 1, element 17-18) for storing computer readable instructions, such that when executed (column 7, lines 11-40), the system performs the steps of:

- initiating an application using a data channel (a request for directions) of the mobile telecommunication network (mobile part; column 7, lines 41-47 with column 9, lines 45-50);

- receiving audible input spoken by a user over a voice channel of the mobile telecommunication network (cellular telephone couples this audio signal into its speech input path; column 8, lines 3-7);

- converting the audible input to application data (column 8, lines 36-58); and

- providing the application data to the application (column 8, lines 36-58).

Regarding **claims 2 and 16**, Mannings discloses the method and system, wherein the application data comprises location information (geographical position; column 7, lines 61-67 with location data; column 8, lines 66-67).

Regarding **claims 3 and 17**, Mannings discloses the method and system, wherein the location information comprises latitude and longitude (latitude and longitude data; column 7, line 67).

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5. **Claims 51-53 and 55-57** are rejected under 35 U.S.C. 102(e) as being anticipated by Harada (USPN. 6,061,003), hereinafter referenced as Harada

Regarding **claims 51 and 55**, Harada discloses a method of determining a location and a system for refining a location using a voice channel over a mobile unit, comprising:

a processor (process section; column 5, lines 55-63);

a memory for storing computer readable instructions (storage medium; column 2, lines 3-6), such that when executed, the system performs the steps of:

(1) loading a first data file comprising state information (state; column 6, lines 2-35);

(2) receiving a first audible input from a user (voice input; column 6, lines 2-35);

(3) comparing the first audible input to the first data file to determine a selected state (state; column 6, lines 2-35);

(4) loading a second data file comprising a plurality of cities, wherein each city is geographically located at least partially in the selected state (cities and districts in the selected; column 6, lines 2-35);

Regarding **claims 52 and 56**, Harada discloses a method and system further comprising:

(5) receiving a second audible input from the user (voice input; column 6, lines 2-35);

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(6) comparing the second audible input the second data file to determine a selected city (cities; column 6, lines 2-35);

(7) loading a third data file comprising a plurality of streets, wherein each street is geographically located at least partially in the selected city (street; column 6, lines 2-35);

Regarding **claims 53 and 57**, Harada discloses a method and system further comprising the steps:

(8) receiving a third audible input from the user (voice input; column 6, lines 2-35);

(9) comparing the third audible input the third data file to determine a selected street (street; column 6, lines 2-35);

(10) loading a fourth data file comprising a range of addresses (address; column 6, lines 2-35);

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 4, 10, 14, 18 and 25-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada (USPN 6,061,003).

Regarding **claims 4, 10, 14 and 18**, Mannings discloses the telecommunications method and system, wherein converting the audible input to application data using the voice channel of the telecommunications network (column 7, line 41 – column 8, line 58 and column 9, lines 45-50), but does not specifically teach a method further comprising the steps of loading a first data file, comparing a first audible input and loading a second data file.

Harada discloses a method comprising:

loading a first data file corresponding to a first set of localities (column 6, lines 1-35);

comparing a first audible input received to the first data file to determine a first selected locality (column 6, lines 1-35); and

loading a second data file corresponding to a second set of localities, wherein each of the localities in the second set are geographically located within the selected locality (column 6, lines 1-35), to obtain data suitable for navigation.

Therefore, it would have been obvious to one ordinary skilled in the art to modify Mannings method wherein it comprises the steps of loading a first data file, comparing a first audible input and loading a second data file, as taught by Harada, to provide a map acquisition system which can properly obtain useful map data at each point on the way to a destination so that a sufficient amount of map data can be obtained (column 2, lines 20-25).

Regarding **claim 25**, it is interpreted and rejected for the same reasons as set forth in the combination of claims 4 and 15.

Regarding **claim 26**, Mannings discloses a telecommunications system, but does not specifically teach further performing the steps of:

loading a third data file corresponding to a third set of localities, each of the localities in the third set geographically located within the second set of localities; and
comparing the first audible input too the third data file to determine a location specified by the first audible input.

Harada discloses a system teach further performing the steps of:

loading a third data file corresponding to a third set of localities, each of the localities in the third set geographically located within the second set of localities (cities and districts in the selected prefecture; column 6, lines 1-35); and

comparing the first audible input too the third data file to determine a location specified by the first audible input (column 6, lines 1-35), to obtain data suitable for navigation.

Therefore, it would have been obvious to one ordinary skilled in the art to modify Mannings method wherein it comprises the steps of loading a third data file and comparing a first audible input, as taught by Harada, to provide a map acquisition system which can properly obtain useful map data at watch point on the way to a destination so that a sufficient amount of map data can be obtained (column 2, lines 20-25).

Regarding **claim 27**, Mannings discloses a system wherein the system determines location information based on the selected localities (column 8, lines 59-67 with column 10, lines 45-52 and column 13, lines 1-45).

Regarding **claim 28**, Mannings discloses a system further performing the steps of:

comparing a second audible input received using the voice channel of the telecommunications network to the second data file (column 7, line 40 – column 8, line 58), and

determining location information based on the comparison (column 7, line 40 – column 8, line 58).

8. **Claims 5, 7, 11, 13, 19, 22 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada and in further view of Kato.

Regarding **claims 5, 11 and 19**, Mannings in view of Harada disclose a telecommunications method and system, but does not specifically teach the method and system, further comprising repeating the comparing and loading steps and determining the locality.

Kato discloses a method and system further comprising:

(d) repeating the comparing and loading steps while a physical location is not yet identified within a predetermined degree of precision (column 3, lines 1-5); and

(e) determining the location based on the selected localities (column 4, line 64 – column 5, line 3), to obtain an improved scheme for searching.

Therefore, it would have been obvious to one ordinary skilled in the art modify Mannings and Harada's method and system wherein it repeats the comparing and loading steps and determines the locality, as taught by Kato, for transmitting the appropriate information regarding the route(s) located by search to the driver of the vehicle (column 1, lines 10-19).

Regarding **claims 7, 13, 22 and 29**, Mannings in view of Harada disclose a telecommunications method and system, but does not specifically teach wherein at least one sets of localites includes a landmark.

Kato discloses the method and system, wherein at least one of the sets of localities includes a landmark (figure 2, element, F14), comprising:

when the selected locality is a landmark, determining location information corresponding to the selected landmark (column 10, lines 7-12), to obtain an improved scheme for searching.

Therefore, it would have been obvious to one ordinary skilled in the art modify Mannings and Harada's method and system wherein one of the sets of localities include a landmark, as taught by Kato, to use in searching for one desired destination (column 9, lines 56-67).

9. **Claims 6 and 20-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada (USPN 6,061,003) and in further view of Ishii et al. (USPN 6,067,521) hereinafter referenced as Ishii.

Regarding **claim 6**, Mannings in view of Harada disclose the method and system, further comprising:

loading a last data file in addition to the presently loaded data file (Harada; column 6, lines 1-37);

comparing a last audible input to the loaded data files to determine a last selected locality (Harada; column 6, lines 1-37); and

determining the location information based on the selected localities (Harada; column 6, lines 1-37), but lacks repeating the comparing and loading steps a predetermined number of times.

Ishii discloses a method a system wherein steps are repeated a predetermined number of times (speech repeatedly inputted a predetermined number of times; column 19, lines 24-28), to obtain a high recognition degree order.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Harada's method and system such that it repeats steps a predetermined number of times, as taught by Ishii, to recognize object words recognized by a continuous input audio signal, so that a recognizing state at that time can be easily judged.

Regarding **claims 20- 21**, they are interpreted and rejected for the same reasons as set forth in **claim 6**.

10. **Claims 8-9 and 23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings et al. (USPN 6,111,539), hereinafter referenced as Mannings in view of Heck (U.S. Patent No. 6,671,672).

Regarding **claims 8 and 23**, Mannings discloses a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks wherein the application data comprises authentication information.

Heck discloses the method and system, wherein the application data comprises authentication information (figure 1, element 22 with figure 3, element 39), to facilitate identification.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings' invention such that the application data comprises authentication information, to identify a person based on voice authentication, PIN, etc., to provide security (column 1, lines 13-26).

Regarding **claims 9 and 24**, Mannings discloses a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks the method and system, wherein converting the audible input to application data further comprises:

comparing the audible input to preexisting voice information corresponding to a predetermined person;

determining authentication information corresponding to whether the user is the predetermined person; and

(c) outputting the authentication information.

Heck discloses the method and system, wherein step (3) comprises the steps of:

(a) comparing the audible input to preexisting voice information corresponding to a predetermined person (column 1, lines 13-14 with column 4, lines 49-53);

(b) determining authentication information (PIN) corresponding to whether the user is the predetermined person (column 1, lines 13-26 and column 4, lines 37-39);
and

(c) outputting the authentication information (column 1, lines 49-56), to facilitate identification.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings' invention such that the application data comprises authentication information, to identify a person based on voice authentication, PIN, etc., to provide security (column 1, lines 13-26).

11. **Claims 36, 39, 42-43 and 47-49** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada and in further view of Heck (USPN 6,671,672).

Regarding **claims 36, 39, 42-43 and 47-49**, Mannings in view of Harada disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Harada's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

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12. **Claims 37 and 44-46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada and Ishii and in further view of Heck.

Regarding **claims 37 and 44-46**, Mannings in view of Harada and Ishii disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

- authenticating a user based on the audible inputs
- outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

- (f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Harada and Ishii's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

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13. **Claims 38, 41 and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Harada and Kato and in further view of Heck (USPN 6,671,672).

Regarding **claims 38, 41 and 50**, Mannings in view of Harada and Kato disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs

outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Harada and Kato's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal

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information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

14. **Claims 54 and 58** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harada in view of Cupps.

Regarding **claims 54 and 58**, Harada discloses the method and system further comprising:

(11) receiving a fourth audible input from the user (voice input; column 6, lines 1-35);

(12) comparing the fourth audible input to the third and fourth data files to determine one of a selected cross-street and a selected address (column 6, lines 1-35); and

(13) determining whether the selection from step (12) is a valid selection (user selects; column 6, lines 1-35), but lacks (14) generating location coordinates from the selected state, city, street, and cross-street or address.

Cupps does not specifically disclose generating location coordinates from the selected state, city, street, and cross-street or address. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Class's invention such that it discloses coordinates from zipcodes, cities etc., as taught by Cupps, to specify geographic location thereby enabling location to be found in international locations as well as United States (column 6, lines 19-38).


Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571.272.7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
December 27, 2006



• **DAVID HUDSPETH**
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2626